

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

CONNIE E. LUCOT : Bankruptcy Case No. 19-23657-TPA
: Chapter 13
Debtor(s) :

PLAN CONFIRMATION ORDER

A It is hereby **ORDERED** that with the consent of the Debtor(s), the Chapter 13 Plan dated October 2, 2019, except as modified herein as checked below, is **CONFIRMED** in accord with *11 USC 1325*. On the effective date of this Order, the Chapter 13 Trustee shall pay administrative, secured and priority creditors identified in the Plan. General unsecured creditors will not receive distributions at least until the government bar date has passed and the Chapter 13 Trustee has submitted a *Notice of Intention to Pay Claims* to the Court. Confirmation of this Plan pursuant to this Order is without prejudice to reconsideration following a status conference held by the Chapter 13 Trustee to gauge the progress of Plan implementation which **Status Conference** is scheduled for *N/A remotely by the Trustee via Zoom, how to participate: goto www.ch13pitt.com, meetings@chapter13trusteedpa.com*, (which may, upon agreement of the Parties, be continued from time to time *provided however* that following the 3rd continuance, the matter shall be set for hearing before the Court), following which time the Plan may be modified to the satisfaction of all Parties after notice and hearing before the Court, or the status conference may be marked closed by the Chapter 13 Trustee.

- X **1.** For the remainder of the Plan term, the periodic Plan payment is to be \$564.00 as of January 2021. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- X **2.** The length of the Plan is increased to a total of 60 months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ **3.** _____ shall be paid monthly payments of \$_____ beginning with the Trustee's _____ distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- X **4.** The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim:
Claimant: Internal Revenue Service Claim #: 5
Claimant: Allegheny School District Claim #: 6
Claimant: Allegheny County Claim #: 13
- X **5.** Additional Terms:
(a) The secured claim of the following Creditor shall govern as to claim amount, to be paid at the modified plan terms: PNC Bank NA (Claim No. 12), payment determined by Trustee.
(b) No payment to Wells Fargo (Claim No. 8 as vehicle surrendered, but prior payments are proper.
- X **6.** The Confirmation Order dated *September 29, 2020*, Doc. 36 is **VACATED**.

B IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

1. Objections to the Plan: This Order is effective as of the date indicated below. Pursuant to *Fed.R.Bankr.P. 2002(b)(3)*, any party in interest with an objection to any provision of this Confirmation Order must file a written objection within the twenty-eight (28) day period following entry of this Order. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this Confirmed Plan. The Trustee may only disburse funds pursuant to this Confirmation Order upon expiration of the foregoing twenty-eight (28) day period.

2. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

3. Review of Claims Docket and Objections to Claims. Pursuant to *LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review all proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely..

4. Motions or Complaints Pursuant to §§506, 507, or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

5. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the Plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

C IT IS FURTHER ORDERED THAT:

1. Plan terms are subject to the resolution of: timely but yet to be filed claims including government claims; all actions to determine the avoidability, priority or extent of liens, including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.

2. Following payment of allowed secured and priority claims, the allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.

3. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

4. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

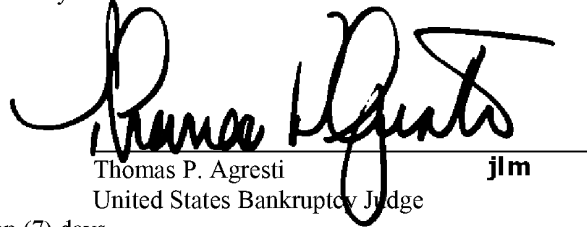
5. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' Counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

6. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

7. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising preconfirmation defaults in any subsequent motion to dismiss.

8. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any secured claim that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: December 18, 2020
(Effective Date)



Thomas P. Agresti jlm
United States Bankruptcy Judge

cc: All Parties in interest to be served by Clerk in seven (7) days

In re:
Connie E. Lucot
Debtor(s)

Case No. 19-23657-TPA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Dec 18, 2020

User: jmar
Form ID: pdf900

Page 1 of 3
Total Noticed: 30

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 20, 2020:

Recip ID	Recipient Name and Address
db	+ Connie E. Lucot, 1035 Alquin Street, McKeesport, PA 15133-3501
cr	+ County of Allegheny, GRB Law, 437 Grant Street 14th Floor, Frick Building, Pittsburgh, PA 15219 UNITED STATES OF AMERICA 15219-6101
cr	+ Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
cr	+ South Allegheny School District, /co Maiello Brungo & Maiello, LLP, 100 Purity Road, Suite 3, Pittsburgh, PA 15235-4441
15124658	County of Allegheny, c/o Jordan Tax Servic, Inc., P.O. Box 200, Bethel Park, PA 15102-0200
15169839	+ County of Allegheny, GRB Law, c/o Jeffrey R. Hunt, Esquire, 437 Grant Street, 14th Floor, Frick Building Pittsburgh, PA 15219-6101
15124659	+ Goehring, Rutter and Boehm, 437 Grant Street, 14th Floor, Pittsburgh, PA 15219-6107
15124661	Jordan Tax Services, Inc., P.O. Box 200, Bethel Park, PA 15102-0200
15124663	+ Maiello Brungo & Maiello, LLP, 424 South 27th Street, #210, Pittsburgh, PA 15203-2380
15124664	PA American Water, PO Box 371412, Pittsburgh, PA 15250-7412
15124665	+ Peoples, PO Box 644760, Pittsburgh, PA 15264-4760
15124666	+ South Allegheny S.D./Borough of Port Vue, c/o Maiello Brungo & Maiello, LLP, 424 South 27th Street, #210, Pittsburgh, PA 15203-2379
15150243	+ South Allegheny School District, c/o Maiello Brungo & Maiello, LLP, 100 Purity Road, Suite 3, Pittsburgh, PA 15235-4441
15153899	UPMC Health Services, PO Box 1123, Minneapolis MN 55440-1123
15124668	+ Wells Fargo Auto, PO Box 29710, Phoenix, AZ 85038-9710
15155495	+ Wells Fargo Bank N.A., d/b/a Wells Fargo Auto, PO Box 130000, Raleigh NC 27605-1000

TOTAL: 16

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Dec 19 2020 03:07:06	PRA Receivables Management LLC, POB 41067, Norfolk, VA 23541-1067
15124657	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Dec 19 2020 03:07:03	Capital One, P.O. Box 71083, Charlotte, NC 28272-1083
15139432	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Dec 19 2020 03:02:25	Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083, Charlotte, NC 28272-1083
15161576	+ Email/Text: kburkley@bernsteinlaw.com	Dec 19 2020 02:53:00	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant St., Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
15124660	Email/Text: sbse.cio.bnc.mail@irs.gov	Dec 19 2020 02:51:00	IRS, Kansas City, MO 64999
15124662	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Dec 19 2020 02:51:00	KingSize, c/o Comenity Bank/Bankruptcy Dep't, PO Box 182125, Columbus, OH 43218-2125
15133199	Email/Text: ktramble@lendmarkfinancial.com	Dec 19 2020 02:51:00	Lendmark Financial Services, LLC, 2118 Usher Street NW, Covington, GA 30014
15135546	Email/PDF: resurgentbknofications@resurgent.com	Dec 19 2020 03:07:13	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15129493	Email/PDF: cbp@onemainfinancial.com	Dec 19 2020 03:11:07	ONEMAIN FINANCIAL, PO BOX 3251, EVANSVILLE, IN 47731-3251
15164611	Email/Text: Bankruptcy.Notices@pnc.com	Dec 19 2020 02:51:00	PNC Bank, N.A., P.O. Box 94982, Cleveland, OH

District/off: 0315-2

User: jmar

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Date Rcvd: Dec 18, 2020

Form ID: pdf900

Total Noticed: 30

15156602	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Dec 19 2020 03:07:06	44101 Portfolio Recovery Associates, LLC, PO Box 41067, Norfolk, VA 23541
15159906	Email/Text: bnc-quantum@quantum3group.com	Dec 19 2020 02:52:00	Quantum3 Group LLC as agent for, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788
15158435	Email/PDF: EBN_AIS@AMERICANINFOSOURCE.COM	Dec 19 2020 03:02:46	Verizon, by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457
15124667	+ Email/Text: wfmelectronicbankruptcynotifications@verizonwireless.com	Dec 19 2020 02:51:00	Verizon, PO Box 25505, Lehigh Valley, PA 18002-5505

TOTAL: 14

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		PNC BANK NATIONAL ASSOCIATION
cr	*+	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945

TOTAL: 1 Undeliverable, 1 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 20, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 18, 2020 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor PNC BANK NATIONAL ASSOCIATION bnicholas@kmlawgroup.com
Charles James Grudowski	on behalf of Debtor Connie E. Lucot cjg@grudowskilaw.com admin@grudowskilaw.com
Jeffrey R. Hunt	on behalf of Creditor County of Allegheny jhunt@grblaw.com cnoroski@grblaw.com
Jennifer L. Cerce	on behalf of Creditor South Allegheny School District jlc@mbm-law.net
Keri P. Ebeck	on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com
S. James Wallace	on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com Equitablebankruptcy@peoples-gas.com

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